

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

NANCY AVINA,	)	
	)	
Plaintiff,	)	
v.	)	Case No. 4:19-cv-00480-RK
	)	
UNION PACIFIC RAILROAD	)	
COMPANY,	)	
	)	
Defendant.	)	

**EXHIBIT INDEX FOR PLAINTIFF’S RESPONSE TO  
DEFENDANT’S STATEMENT OF PURPORTEDLY UNCONTROVERTED  
MATERIAL FACTS AND PLAINTIFF’S STATEMENT OF  
MATERIAL FACTS FOR TRIAL**

<b>Exhibit</b>	<b>Document Description</b>	<b>Bates No.</b>
A	2017 EEO Investigation Documents	UPAvina 002512 – 002525
B	Collective Bargaining Agreement with Transportation Communications Union (Eff. 7/31/2006)	UPAvina 002226 – 002420
C	Various Emails concerning Eyewash Station in June 2017	PLF 000448 – 000450
D	Letter July 7, 2017 acknowledging receipt of complaint	PLF 000085
E	Application for Administrative Aide position in 2018	UPAvina 000034 – 000037
F	HR Reporting System for Nancy Avina (as of 7/12/2019)	UPAvina 000001 – 000022
J (Defendant’s)	Material Handler Job Description	UPAvina 000089 – 000090
K (Defendant’s)	Paternal Copy of CBA Agreement with Transportation Communications Union	UPAvina 002226; 002266 – 002280
M (Defendant’s)	HR Reporting System – Personal Information and Work History for Nancy Avina (as of 7/12/2019)	UPAvina 000001 – 000003
N (Defendant’s)	Declaration of Jacob E. Langel	N/A
O (Defendant’s)	Email 1/9/2019 from Craig Mitchell to Jeffrey Anderson re: listing of bids for 1E Material Supervisor in 2017 and 2018	UPAvina 000395 – 000396
P (Defendant’s)	Declaration of Jeffery A. Anderson	N/A

<b>Exhibit</b>	<b>Document Description</b>	<b>Bates No.</b>
Q (Defendant's)	Administrative Aide job posting	UPAvina 000439 – 000440
R (Defendant's)	Declaration of Marvin Kohles	N/A
Avina Depo. Exh. 2	Hr Reporting System Work History for Nancy Avina (as of 7/12/2019)	UPAvina 000002 – 000003
Avina Depo. Exh. 5	Equal Employment Opportunity / Affirmative Action Policy Eff. 12/5/2000 (Rev. 4/7/2017)	UPAvina 000233 – 000236
Avina Depo. Exh. 6	Union Pacific Values Line	UPAvina 000331 – 000333
Avina Depo. Exh. 9	List of Supervisors for Nancy Avina from 7/1/2009	UPAvina 000084
Avina Depo. Exh. 10	Safety Hotline Report 6/15/2017	PLF 000088 – 000089
Avina Depo. Exh. 11	Safety Hotline Issue Details created 6/15/2017	UPAvina 000049 – 000050
Avina Depo. Exh. 12	Values Line Complaint filed by Nancy Avina 6/28/2017	UPAvina 000339 – 000341
Avina Depo. Exh. 13	Email 7/7/2017 from Kathleen Nicolini re: allegations made; handwritten notes made by Nancy Avina	PLF 000509
Avina Depo. Exh. 14	Email 7/24/2017 from Avina to Sarah Yrkoski re: safety hotline report made	PLF 000540 – 000542
Avina Depo. Exh. 15	Emails 7/24/2017 to Yrkoski re: emails promised to forward about Miller and King	PLF 000530 – 000536
Avina Depo. Exh. 16	MAPS Coaching Form 7/10/2017	PLF 000538
Avina Depo. Exh. 17	Email 8/22/2017 to Nicolini re: incident over weekend with Miller	PLF 000558
Avina Depo. Exh. 18	Values Line Complaint filed by Nancy Avina on 11/27/2018	UPAvina 000336 – 000338
Avina Depo. Exh. 19	Email 1/31/2018 to Mitchell etc. re: reporting Harassment by Miller	PLF 000640 – 000641
Avina Depo. Exh. 21	TRM Lite Ticket 12/14/2018 re: requesting copy of personnel file	PLF 000092 – 000093
Avina Depo. Exh. 22	Email 1/23/2019 to Jerry Kirkpatrick re: request for personnel file	PLF 000760 – 000761
Avina Depo. Exh. 27	Notice of Abolishment 10/18/2019 for Avina's Material handler position	PLF 001054 – 001055
Avina Depo. Exh. 28	Notes authored by Avina	PLF 001087
Avina Depo. Exh. 29	List of Applications made by Avina	PLF 000062 – 000064; 000068 – 000077; 000453

<b>Exhibit</b>	<b>Document Description</b>	<b>Bates No.</b>
Avina Depo. Exh. 39	Extraction Report for Text Messages with Michelle Collins	PLF 001836 – 001883
Avina Depo. Exh. 40	HR Reporting System – Complete Training History for Avina (as of 7/12/2019)	UPAvina 000004 – 000018
Robinson Depo. Exh. 9	HR Reporting System – Employee Discipline History for Kantrell Robinson (as of 11/6/2019)	UPRobinson 000188 - 000189
Robinson Depo. Exh. 16	Bulletin for Material Supervisor 1E position 5/31/2017 – Awarded to Melanie King	PLF 000485 – 000487
Robinson Depo. Exh. 17	Email chain 6/19/2017 with Robinson and Miller re: resume for Material Supervisor 1E position	PLF 000001 - 000004
Perkins Depo. Exh. 40	HR Reporting System for Jennifer Perkins (as of 2/21/2020)	UPAvina 000162 – 000172
Perkins Depo. Exh. 55	Values Line Complaint filed by Avina 11/27/2018 (different format)	UPRobinson 000520 – 000522
Perkins Depo. Exh. 70	Transcript of Disqualification Hearing for Kantrell Robinson on 3/5/2019	UPRobinson 00049 – 000118
Wood Depo. Exh. 80	Notice of Abolishment for all Material Handler positions 10/18/2019	PLF 001056 – 001071
Wood Depo. Exh. 83	Temporary Posting for Material Handlers 10/21/2019	PLF 001051
Wood Depo. Exh. 84	Temporary Posting for Material Supervisor 1E 1/17/2020	PLF 001766
Wood Depo. Exh. 85	Notice of Abolishment for Material Supervisor 1E 12/28/2019	PLF 001919 – 001920
Wood Depo. Exh. 86	Notice of Bulletin Opening for Material Supervisor 1E 2/5/2020	PLF 001767 – 001768
Miller Depo. Exh. 95	HR Reporting System for Samantha Miller (as of 2/21/2020)	UPAvina 000193 – 000204
Miller Depo. Exh. 96	Values Line Complaints filed against Samantha Miller	UPAvina 001355 – 001361
Miller Depo. Exh. 97	Listing of Applicants for Administrative Aide position	UPAvina 000441 – 000457
Serrone Depo. Exh. 103	HR Reporting System for Michael Serrone (as of 10/28/2020)	UPRobinson 001040 – 001045
Serrone Depo. Exh. 105	Email 9/25/2018 from Cindi Wood re: holding breakfast meeting	PLF 000014 - 000015

### DECLARATIONS:

Pl. Decl.	Declaration of Nancy Avina (Plaintiff)
Langel Decl.	Declaration of Jacob E. Langel (Defendant's – <i>See</i> Defendant's Exh. N)
Kohles Decl.	Declaration of Marvin Kohles (Defendant's – <i>See</i> Defendant's Exh. R)
Anderson Decl.	Declaration of Jeffery A. Anderson (Defendant's – <i>See</i> Defendant's Exh. P)
Collins Decl.	Declaration of Michelle Collins
Goode Decl.	Declaration of Jolenta Goode

### DEPOSITIONS:

Anderson Depo.	Deposition of Jeff Anderson December 1, 2020
Pl. Depo. I	Deposition of Nancy Avina September 1, 2020
Pl. Depo. II	Deposition of Nancy Avina ( <i>Robinson v. Union Pacific</i> ) December 4, 2020
Kirkpatrick Depo.	Deposition of Jerry Kirkpatrick November 19, 2020
Miller Depo.	Deposition of Samantha Miller November 17, 2020
Mitchell Depo.	Deposition of Craig Mitchell November 19, 2020
Perkins Depo.	Deposition of Jennifer Perkins September 28, 2020
Robinson Depo. I	Deposition of Kantrell Robinson (November 16, 2020)
Robinson Depo. II	Deposition of Kantrell Robinson Vol. I ( <i>Robinson v. Union Pacific</i> ) September 10, 2020
Robinson Depo. III	Deposition of Kantrell Robinson Vol. II ( <i>Robinson v. Union Pacific</i> ) November 16, 2020
Serrone Depo.	Deposition of Michael Serrone November 24, 2020
Wood Depo.	Deposition of Cindi Wood October 12, 2020